

**TOWNSHIP OF MANSFIELD
COUNTY OF BURLINGTON**

ORDINANCE 2009-16

**AN ORDINANCE TO VACATE, RELEASE AND EXTINGUISH
ANY AND ALL DEDICATION OF PUBLIC RIGHTS OR ANY PUBLIC
RIGHTS WHICH MAY HAVE HERETOFORE COME INTO BEING, IN A
PORTION OF RHUBERT LANE, A PAPER STREET, IN THE TOWNSHIP OF
MANSFIELD, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY**

WHEREAS, a property owner, Northern Burlington School District, has requested that the Township of Mansfield vacate a portion of Rhubert Lane, a paper street, at its intersection with Route 68 and Mansfield Road East; and

WHEREAS, the Committee of the Township of Mansfield has determined that the public interest will best be served by now vacating, releasing and extinguishing any public right-of-way of said municipality in a portion of Rhubert Lane, in the township of Mansfield and more particularly described hereinafter, whether said right be those of dedication or any other public rights in said Rhubert Lane, for a just and fair price, pursuant to N.J.S.A. 40:60-28;

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of Mansfield, in the County of Burlington, and State of New Jersey, that:

Section 1: Any and all dedication of public rights or any public rights which may heretofore come into being in a portion of Rhubert Lane, as mentioned above and in any way contained within the following described property, be and the same hereby is vacated, released and extinguished to the end that said lands be as effectively discharged there from as though no dedication or other public rights therein had ever existed, to wit:

ALL that certain tract or parcel of land situate, lying and being in the Township of Mansfield, County of Burlington and State of New Jersey, and being known a portion of Rhubert Lane in Blocks 7 and 8, Lots 2.03,11.06.19 and 20, respectively on the Mansfield Township Tax Maps, and being more particularly bounded and described as follows, to wit:

VACATION NO.1

A portion of Rhubert Lane Township of Mansfield Burlington County,
New Jersey

All that Certain lot, tract, right-of-way or parcel of land and premises, situated, lying and being in the Township of Mansfield, County of Burlington, State of New Jersey, and being more particularly described as follows:

Beginning at a point in the existing Southwesterly right-of-way line of New Jersey State Highway Route No. 68 (140' ROW), where it intersects with the existing Southerly right-of-way line of Rhubert Lane (33' ROW). Thence from said Beginning:

1. Westwardly, 88.1 feet more/less, that runs along the said existing Southerly right-of-way line of Rhubert Lane, to a point in the existing Southeasterly right-of-way line of Rhubert Lane; thence
2. Southwestwardly, 834.9 feet more/less, that runs along the said existing Southeasterly right-of-way line of Rhubert Lane, to a angle point in the same said existing Southeasterly right-of-way line of Rhubert Lane; thence
3. Southwestwardly, 40.4 feet more/less, that runs along the said existing Southeasterly right-of-way line of Rhubert Lane, to a point at the intersection of the existing property line between lots 2.03 & 2.04, block 7; thence
4. Northwestwardly, 16.6 feet more/less, that runs along the proposed extension of the property line between lots 2.03 & 2.04, block 7, to a point in the existing centerline of Rhubert Lane, thence
5. Northeastwardly, 45.8 feet more/less, that runs along the said existing centerline of Rhubert Lane, to a angle point in the same said centerline of Rhubert Lane; thence
6. Northeastwardly, 902.3 feet more/less, that runs along the said existing centerline of Rhubert Lane, to a point in the aforementioned existing Southwesterly right-of-way line of New Jersey State Highway Route No. 68 (140' ROW); thence
7. Southeastwardly, 83.6 feet more/less, that runs along the said Southwesterly right-of-way line of New Jersey State Highway Route No. 68, to the Point and Place of Beginning.

Containing within said bounds of land 17,647 square feet and/or 0.41 Acres of Land (more or less)

Being known and designated as a portion of Rhubert Lane shown on Plate 2 from the current Tax Maps of the Township of Mansfield, Burlington County, New Jersey.

Subject to covenants, restrictions and easements of record, if any, except those that may have expired by their own limitations.

This description is based on the current tax map (plate 2) of the Township of Mansfield and deed book 5201, page 333, dated August 7, 1996, for lot 2.03, block 7. No survey field work was completed.

VACATION NO.2

A portion of Rhubert Lane Township of Mansfield Burlington County,
New Jersey

All that Certain lot, tract, right-of-way or parcel of land and premises, situated, lying and being in the Township of Mansfield, County of Burlington, State of New Jersey, and being more particularly described as follows:

Beginning at a point in the existing Southwesterly right-of-way line of New Jersey State Highway Route No. 68 (140' ROW), where it intersects with the existing Westerly right-of-way line of Rhubert Lane (33' ROW). Thence from said Beginning:

1. Southeastwardly, 143.5 feet more/less, that runs along the Proposed Southwesterly right-of-way line of New Jersey State Highway Route No. 68, to a intersection point in the existing centerline of Rhubert Lane; thence
2. Southwestwardly, 625.4 feet more/less, that puns along the said existing centerline of Rhubert Lane, to a point in the proposed property line extended, that runs between lots 11.06 & 19, block 8; thence
3. Northwestwardly, 18.8 feet more/less, that runs along the said proposed property line extended that runs between lots 11.06 & 19, block 8, to a point in the existing Northwesterly right-of-way line of Rhubert Lane; thence
4. Northeastwardly, 568.4 feet more/less, that runs along the said existing Northwesterly right-of-way line of Rhubert Lane, to a point in the aforementioned existing Westerly right-of-way line of Rhubert

Lane, thence

5. Northwestwardly, 143.8 feet more or less, that runs along the said existing Westerly right-of-way line of Rhubert Lane, to the Point and Place of Beginning.

Containing within said bounds of land 14,600 square feet and/or 0.34 Acres of Land (more or less)

Being known and designated as a portion of Rhubert Lane shown on Plate 2 from the current Tax Maps of the Township of Mansfield, Burlington County, New Jersey.

Subject to covenants, restrictions and 'easements of record, if any, except those that may have expired by their own limitations.

This description is based on the current tax map (plate 2) of the Township of Mansfield and deed book 1802, page 764 & 765, dated January 20, 1972, for lot 11.06, block 8. No survey field work was com6/eted.

VACATION NO.3

A portion of Rhubert Lane Township of Mansfield Burlington County,
New Jersey

All that Certain lot, tract, right-of-way or parcel of land and premises, situated, lying and being in the Township of Mansfield, County of Burlington, State of New Jersey, and being more particularly described as follows:

Beginning at a point in the existing Northwesterly right-of-way line of Rhubert Lane (33' ROW), where it intersects with the existing property line that runs between lots 11.06 & 19, block 8. Thence from said Beginning:

1. Southeastwardly, 17.9 feet more/less, that runs along the proposed extension of the said property line between lots 11.06 & 19, block 8, to a point in the existing centerline of Rhubert Lane; thence
2. Southwestwardly, 173.6 feet more/less, that runs along the said existing centerline of Rhubert Lane, to a point in the proposed extension of the property line between lots 19 & 20, block 8 ; thence
3. Northwestwardly, 18.5 feet more/less, that runs along the said proposed extension of the property line between lots 19 & 20, block 8, to a point in the aforementioned existing Northwesterly right-of-way line of Rhubert Lane; thence

4. Northeastwardly, 175.0 feet more/less, that runs along the said existing Northwesterly right-of-way line of Rhubert Lane, to the Point and Place of Beginning.

Containing within said bounds of land 2,876 square feet and/or 0.07 Acres of Land (more or less)

Being known and designated as a portion of Rhubert Lane shown on Plate 2 from the current Tax Maps of the Township of Mansfield, Burlington County, New Jersey.

Subject to covenants, restrictions and easements of record, if any, except those that may have expired by their own limitations.

This description is based on the current tax map (plate. 2) of the Township of Mansfield and filed plan for "Viewfield Estates" filed April 25, 1975 as Map No. 02174, for lot 19, block 8. No survey field work was completed

VACATION NO.4

A portion of Rhubert Lane Township of Mansfield Burlington County,
New Jersey

All that Certain lot, tract, right-of-way or parcel of land and premises, situated, lying and being in the Township of Mansfield, County of Burlington, State of New Jersey, and being more particularly described as follows:

Beginning at a point in the existing Northwesterly right-of-way line of Rhubert Lane (33' ROW), where it intersects with the existing property line that runs between lots 19 & 20, block 8. Thence from said Beginning:

1. Southeastwardly, 18.5 feet more/less, that runs along the proposed extension of the said property line between lots 19 & 20, block 8, to a point in the existing centerline of Rhubert Lane; thence
2. Southwestwardly, 74.9 feet more/less, that runs along the said existing centerline of Rhubert Lane, to a angle point in the same said centerline of Rhubert Lane; thence
3. Southwestwardly, 110.1 feet more/less, that runs along the said existing centerline of Rhubert Lane, to a point in the proposed extension of the property line between lots 20 & 21, block 8; thence
4. Northwestwardly, 16.5 feet more/less, that runs along the said proposed extension of the property line between lots 20 & 21, block 8, to a point in the aforementioned existing Northwesterly right-of-way line of Rhubert

Lane; thence

5. Northeastwardly, 113.6 feet more/less, that runs along the said existing Northwesterly right-of-way line of Rhubert Lane, to a angle point in the same said existing Northwesterly right-of-way line of Rhubart Lane.
6. Northeastwardly, 70.0 feet more/less, that runs along the said existing Northwesterly right-of-way line of Rhubart Lane, to the Point and Place of Beginning.

Containing within said bounds of land 3,041 square feet and/or 0.07 Acres of Land (more or less)

Being known and designated as a portion of Rhubert Lane shown on Plate 2 from the current Tax Maps of the Township of Mansfield, Burlington County, New Jersey.

Subject to covenants, restrictions and easements of record, if any, except those that may have expired by their own limitations.

This description is based on the current tax map (plate 2) of the Township of Mansfield and filed plan for "Viewfield Estates" filed April 25, 1975 as Map No. 02174, for lot 20, block 8. No survey field work was completed.

Section 2: The Clerk of the Township of Mansfield, within sixty (60) days after this ordinance becomes effective, shall cause a copy of this ordinance, certified by her under the seal of the Township of Mansfield, to be a true copy thereof, together with a copy of the proof of publications thereof, to be filed in the Office of the Clerk of the County of Burlington as required by law.

This ordinance shall become effective immediately upon final adoption and publication thereof according to law.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not

affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

NOTICE is hereby given by the Mansfield Township Committee that the above mentioned Ordinance Number 2009-16 was introduced and passed on First Reading by the Mansfield Township Committee at their regular meeting held on August 26, 2009 at 7:30pm at the Municipal Complex, 24548 East Main Street, Columbus, NJ. Said Ordinance will be considered for second reading and final adoption with a public hearing on September 23, 2009 at 7:30pm at the Municipal Complex, 24548 East Main Street, Columbus, NJ at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Said ordinance inadvertently advertised as a public hearing for September 9, 2009. Please note the public hearing is September 23, 2009.